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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,310	03/07/2001	Liron Frenkel	6727/01381 US0	2657

7590 10/18/2004

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805 Third Avenue  
New York, NY 10022

EXAMINER
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CORRIELUS, JEAN B

ART UNIT	PAPER NUMBER
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2637

DATE MAILED: 10/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/801,310

**Applicant(s)**

FRENKEL ET AL.

**Examiner**

Jean B Corrielus

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-10 and 19-29, 38-40 is/are allowed.
- 6) ☒ Claim(s) 11-14 and 30-33 is/are rejected.
- 7) ☒ Claim(s) 15-18 and 34-36 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/12/01
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Claim 11, line9, after as, "to" needs to be inserted. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 11-14 and 30-33 are rejected under 35 U.S.C. 102(e) as being anticipated by May et al US Patent Application S/N US 2002/0110213 A1.

May et al discloses a multichannel communication device (fig. 1) comprising an input unit encompassed by (18, 24, 30, and 36) coupled to a plurality of communication lines (48, 54, 60 and 66) for carrying signals at respective baud rate (data rate) see paragraphs 0015-0019 and operative to transfer the signal received on the lines at an input rate (clock rate) see paragraph 0020 determined by a common system clock 12, substantially unsynchronized (i.e. different) with the baud rates of at least some of the lines; and a plurality of digital processing channels 14, 20, 26 and 32, each coupled to the input unit so as to receive the signals at the input rate from a respective one of the lines and to process the signals so as to output digital words( note that digital words are formed by a series of bits and the bits formed by a series of symbols, hence the output

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includes symbol components) the baud rates that is applicable to the signals carried on the respective one of the lines.

As per claim 12, the input unit comprises an analog front end (18, 24, 30 and 36) which is operative to sample the signals at the input rate and to convey the sampled signals to the digital processing channels (14, 20, 26 and 32).

As per claim 13, the device includes a transceiver (modem); the signals includes input signals which are received from communication lines and output signals which are transmitted over the communication lines by the digital processing channels (14, 20, 26 and 32) via the analog front end (18, 24, 30 and 36).

As per claim 14, the plurality of digital processing channels comprises at least first and second channel (i.e. 44 and 50), which are adapted to process the signals so as to output at different respective first and second baud rate see paragraph 0020.

Claim 30 is analyzed the way as claim 11.

Claim 31 is analyzed the way as claim 12.

Claim 32 is analyzed the way as claim 13.

As per claim 33, receiving the signals comprising receiving first and second signal (i.e. 48 and 54) at different first and second rate see paragraphs 0015-0019, and wherein processing the signals comprises generating the symbols (words) substantially simultaneously in different ones of the digital processing channels at the first and second baud rates see fig. 1.

***Allowable Subject Matter***

4. Claims 1-10, 19-29 and 37-40 are allowed.

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5. Claims 15-18 and 34-36 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean B. Corrielus whose telephone number is (571) 272-3020. The examiner can normally be reached on Monday-Thursday from 7:00 A.M. to 5:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel, can be reached on (571) 272-3086.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

  
Jean B. Corrielus

Primary Examiner

TC-2600

10-15-04